

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

DEUTSCHE BANK NATIONAL)	CIVIL NO. 11-00632 JMS-RLP
TRUST COMPANY, AS TRUSTEE)	
MORGAN STANLEY ABS CAPITAL)	DECLARATION OF J. BLAINE
I INC. TRUST 2007-NC1 MORTGAGE))	ROGERS
PASS-THROUGH CERTIFICATES,)	
SERIES 2007-NC1,)	
)	
Plaintiff,)	
)	
vs.)	
)	
LEIGAFOALI'I TAFUE WILLIAMS,)	
fka LEIGAFOALI'I TAFUE)	
KOEHNEN; et al.)	
)	
Defendants.)	
_____)	
)	

DECLARATION OF J. BLAINE ROGERS

Pursuant to 28 U.S.C. § 1746, I declare that:

1. I am an attorney for Plaintiff Deutsche Bank National Trust Company, as Trustee Morgan Stanley ABS Capital I Inc. Trust 2007-NC1 Mortgage Pass-Through Certificates, Series 2007-NC1 ("Deutsche Bank") in this action. I have personal knowledge of, and am competent to testify to, the matters set forth below.

2. I make this declaration in support of Deutsche Bank's Opposition to *Defendants Williams' Motion To Dismiss Complaint filed 10/20/11*, which was filed on December 19, 2011 (Doc. 13) and based upon my personal knowledge unless otherwise stated.

3. Attached as Exhibit "1" is a true and accurate copy of Plaintiff's Motion for Reconsideration, to Alter or Amend Judgment, and for Relief from Judgment, filed on June 6, 2011, in the Circuit Court of the First Circuit, State of Hawai`i in Civil No. 09-1-1906 BIA., and the supporting memorandum thereto. For the Court's convenience, exhibits to the motion have been excluded.

4. Attached as Exhibit "2" is a true and accurate copy of the Minute Order re Plaintiff's Motion for Reconsideration, to Alter or Amend Judgment, and for Relief from Judgment, dated June 28, 2011, in the Circuit Court of the First Circuit, State of Hawai`i in Civil No. 09-1-1906 BIA.

5. Attached as Exhibit "3" is a true and accurate copy of the Minute Order re Plaintiff's Motion for Reconsideration, to Alter or Amend Judgment, and for Relief from Judgment, dated July 26, 2011, in the Circuit Court of the First Circuit, State of Hawai`i in Civil No. 09-1-1906 BIA.

6. Attached as Exhibit "4" is a true and accurate copy of the Minute Order re Plaintiff's Motion for Reconsideration, to Alter or Amend

Judgment, and for Relief from Judgment, dated September 27, 2011, in the Circuit Court of the First Circuit, State of Hawai`i in Civil No. 09-1-1906 BIA.

7. Attached as Exhibit "5" is a copy of the Order Denying Plaintiff's Motion for Reconsideration, to Alter or Amend Judgment, and for Relief from Judgment, Filed June 6, 2011, which was issued on October 14, 2011.

8. Attached as Exhibit "6" is a true and accurate copy of Plaintiff's Motion to Clarify Prior Order or, in the Alternative, to Certify Final Judgment and to Stay Proceedings Pending Appeal, filed on or around December 3, 2011 in the Circuit Court of the First Circuit, State of Hawai`i in Civil No. 09-1-1906 BIA.

9. Attached as Exhibit "7" is a true and accurate copy of Deutsche Bank's Motion to Enjoin State Court Proceedings (Doc. 145), filed on December 16, 2011 in the United States District Court for the District of Hawai`i ("Federal Court"), Case No. 09-535 SOM-KSC (the "Prior Action").

10. Attached as Exhibit "8" is a true and accurate copy of the Federal Court's Order Denying Motion to Enjoin State Court Proceedings and Clarifying Statute Applicable to this Court's Earlier Remand Order, issued on January 25, 2012 (Doc. 153).

11. Attached as Exhibit "9" is a true and accurate copy of Plaintiff's Motion for Leave to File Supplemental Memorandum in Support of Motion to

Clarify Prior Order or, in the Alternative, to Certify Final Judgment and to Stay Proceedings Pending Appeal, filed on or around January 31, 2012 in the Circuit Court of the First Circuit, State of Hawai`i in Civil No. 09-1-1906 BIA.

12. Attached as Exhibit "10" is a true and accurate copy of Deutsche Bank's Opposition to Plaintiff's Motion for Leave to File Supplemental Memorandum in Support of Motion to Clarify Prior Order or, in the Alternative, to Certify Final Judgment and to Stay Proceedings Pending Appeal, which was filed on February 1, 2012.

13. Attached as Exhibit "11" is a true and accurate copy of a listing of national banks from the United States Department of the Treasury website, available at www.occ.treas.gov. Exhibit "11" was printed from the website on February 8, 2012.

I declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawai`i, February 13, 2012.

/s/ J. Blaine Rogers

J. BLAINE ROGERS